



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/691,175	10/19/2000	Daniel I. Flitcroft	032668-027	7048

7590 04/03/2008
Ronald L. Grudziecki
BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, VA 22313-1404

EXAMINER

GRAHAM, CLEMENT B

ART UNIT	PAPER NUMBER
----------	--------------

3692

MAIL DATE	DELIVERY MODE
-----------	---------------

04/03/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/691,175	Applicant(s) FLITCROFT ET AL.	
	Examiner CLEMENT B. GRAHAM	Art Unit 3692	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 28-61 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 28-61 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 28-61, remained pending in this application.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 28-61, are rejected under 35 U.S.C. 103(a) as being unpatentable over Daly et al (Hereinafter U.S. Patent No. 5, 878, 141) in view of Hanson U.S. Patent No.6, 885, 857).

As per claim 28, 51, 59-60, Daly discloses a method for implementing a limited-use credit card system, the method composing:
allocating in a computer system a limited-use credit card number (see column 4 lines 39-59 and column 8 lines 13-20 and column 5 lines 47-67 and column 6 lines 6 lines 4-35) associating in the computer system limited-use credit card number with a customer account number and a set of conditions (see column 6 lines 3-23) authorizing or not authorizing the transaction based on a result of said processing in the computer system.(see column 4 lines 39-59 and column 13 lines 35-45) issuing the limited-use credit card number (see column 4 lines 19-31) detecting in a computer system a transaction using the limited-use credit card number and processing the transaction in accordance with the set of conditions associated with limited-use credit card number. (see column 6 lines 3-23).

Daly fail to explicitly teach a different number than a customer account number of a user and functioning as an authorized substitute for the customer account number.

However Hanson discloses in operation, cash, bank drafts, credit cards, and telephone company billing may be used to replenish the real-time bundled account at any customer interface facility. A deposit card (not shown) which has a magnetic strip, embedded chip, or another storage medium recording the customer's name, account

number, and optional personal identification number may be issued to each customer. Customer interface facilities 62 preferably employ data card readers 69 to obtain the information stored in the customer's deposit card and to immediately relay this information and the transaction amount to the customer's home real-time bundled account processing and billing platform. The transaction amount is then immediately posted to the customer's account to reflect the new balance. This transaction is similar to a credit card or debit card transaction at a point of sale (POS). If authorized, the customer may also dial a pre-assigned code with the wireless telephone to replenish his/her account with a credit card. Constructed in this manner, the customer may immediately begin to use the prepaid bundled telecommunications services. (see column 4 lines 11-30).

Therefore it would have been obvious to one of ordinary skill in the art the time the invention was made to modify the teachings of Daly to include a different number than a customer account number of a user and functioning as an authorized substitute for the customer account number taught by Hanson in order to process real-time bundled telecommunications account processing and billing that allows the account holder to pay for telecommunications service access with funds from a single account balance.

As per claims 29, 61, Daly discloses further comprising: allocating in a computer system additional limited-use credit card numbers upon a customer request and/or an event trigger (see column 4 lines 39-59 and column 8 lines 13-20 and column 5 lines 47-67 and column 6 lines 6 lines 4-35 and column 4 lines 19-31).

As per claim 30, Daly discloses wherein the event trigger is the use of more than a preset amount of limited-use credit card numbers. (see column 4 lines 39-59 and column 8 lines 13-20 and column 5 lines 47-67 and column 6 lines 6 lines 4-35 and column 4 lines 19-31).

As per claim 37, Daly discloses further comprising: notifying a user about parameters of the limited-use credit card system. (see column 1 lines 5-31).

As per claim 38, Daly discloses wherein the user is notified e-mail. (see column 4 lines 39-59 and column 8 lines 13-20 and column 5 lines 47-67 and column 6 lines 6 lines 4-35 and column 4 lines 19-31).

As per claim 39, Daly discloses wherein the parameters of the limited use credit card system comprise records of limited-use and other card transactions. (see column 4 lines 39-59 and column 8 lines 13-20 and column 5 lines 47-67 and column 6 lines 6 lines 4-35 and column 4 lines 19-31).

As per claim 40, Daly discloses wherein the parameters of the limited-use credit card system comprise use of the limited use credit card number in a credit card transaction. (see column 4 lines 39-59 and column 8 lines 13-20 and column 5 lines 47-67 and column 6 lines 6 lines 4-35 and column 4 lines 19-31).

As per claim 41, Daly discloses wherein the parameters of the limited-use credit card system comprise a number of the limited-use credit card number available to the user. (see column 4 lines 39-59 and column 8 lines 13-20 and column 5 lines 47-67 and column 6 lines 6 lines 4-35 and column 4 lines 19-31).

As per claim 42, Daly discloses wherein the set of conditions are defined by a user of the limited-use credit card. (see column 4 lines 39-59 and column 8 lines 13-20 and column 5 lines 47-67 and column 6 lines 6 lines 4-35 and column 4 lines 19-31).

As per claim 43, Daly discloses wherein the set of conditions limits the use of the limited-use credit card number to a pro-defined user limit. (see column 4 lines 39-59 and column 8 lines 13-20 and column 5 lines 47-67 and column 6 lines 6 lines 4-35 and column 4 lines 19-31).

As per claim 44, Daly discloses wherein the set of conditions limits the use of the limited-use credit card number to a particular merchant, (see column 4 lines 39-59 and column 8 lines 13-20 and column 5 lines 47-67 and column 6 lines 6 lines 4-35 and column 4 lines 19-31).

As per claim 45, Daly discloses wherein the particular merchant is selected from a predetermined list of merchants and/or category of merchants (see column 4 lines 39-59

and column 8 lines 13-20 and column 5 lines 47-67 and column 6 lines 6 lines 4-35 and column 4 lines 19-31).

As per claim 46, Daly discloses wherein the particular merchant ("i. e, merchant") is prearranged by the user. (see column 4 lines 39-59 and column 8 lines 13-20 and column 5 lines 47-67 and column 6 lines 6 lines 4-35 and column 4 lines 19-31).

As per claim 47, Daly discloses wherein the set of conditions limits the use of the limited-use credit card number to a single transaction for a maximum transaction value for a single purpose(see column 4 lines 39-59 and column 8 lines 13-20 and column 5 lines 47-67 and column 6 lines 6 lines 4-35 and column 4 lines 19-31).

As per claim 48, Daly discloses wherein the set of conditions limits the use of the limited-use credit card number to a set number of transactions for a maximum transaction value within a set time. (see column 4 lines 39-59 and column 8 lines 13-20 and column 5 lines 47-67 and column 6 lines 6 lines 4-35 and column 4 lines 19-31).

As per claim 49, Daly discloses wherein the set of conditions limits the use of the limited-use credit card number to a single purpose. (see column 4 lines 39-59 and column 8 lines 13-20 and column 5 lines 47-67 and column 6 lines 6 lines 4-35 and column 4 lines 19-31).

As per claim 50, Daly discloses at least one condition selected from the group consisting of transaction value conditions, time of transaction conditions, number of transactions conditions, frequency of transactions conditions, purpose of transaction conditions, merchant type conditions, and geographical conditions. (see column 4 lines 39-59 and column 8 lines 13-20 and column 5 lines 47-67 and column 6 lines 6 lines 4-35 and column 4 lines 19-31).

As per claim 52, Daly fail to explicitly teach further comprising:
wherein the automated teller machine dispenses the credit card.

However card dispensing and machine are old and well known in the art because they are used to dispense a cards with a values, further the means of acquiring the cards or where the cards were bought or sold would not have prevented the system from performing a financial transaction when the card is tender by the holder.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings Daly to include dispensing a credit card containing the limited-use credit card number and wherein the automated teller machine dispenses the credit card because they are used to dispense a cards with a values, further the means of acquiring the cards or where the cards were bought or sold would not have prevented the system from performing a financial transaction when the card is tender by the holder.

As per claim 53, Daly discloses wherein dispensing a credit card comprises: printing out an indication of the limited-use credit card number for delivery to the user. (see column 4 lines 39-59 and column 8 lines 13-20 and column 5 lines 47-67 and column 6 lines 6 lines 4-35 and column 4 lines 19-31).

As per claims 54-55 Daly discloses wherein dispensing a credit card comprises: Dispensing the limited use credit card number to a user via a telecommunication system. (see column 4 lines 39-59 and column 8 lines 13-20 and column 5 lines 47-67 and column 6 lines 6 lines 4-35 and column 4 lines 19-31).

As per claim 56, Daly discloses wherein the telecommunications system comprises a mobile phone. (see column 4 lines 39-59 and column 8 lines 13-20 and column 5 lines 47-67 and column 6 lines 6 lines 4-35 and column 4 lines 19-31).

As per claim 57, Daly discloses further comprising: initiating the transaction using the limited-use credit card number via a telecommunications system. (see column 4 lines 39-59 and column 8 lines 13-20 and column 5 lines 47-67 and column 6 lines 6 lines 4-35 and column 4 lines 19-31).

As per claim 58, Daly discloses wherein the telecommunications system comprises a pager. (see column 4 lines 39-59 and column 8 lines 13-20 and column 5 lines 47-67 and column 6 lines 6 lines 4-35 and column 4 lines 19-31).

As per claim 59, Daly discloses wherein the telecommunications system comprises a mobile phone. (see column 4 lines 39-59 and column 8 lines 13-20 and column 5 lines 47-67 and column 6 lines 6 lines 4-35 and column 4 lines 19-31).

Conclusion

Response to Arguments

4. Applicant's arguments filed on 11/26/2007 have been fully considered but are they moot in view of new grounds of rejection.
5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantzy Poinvil whose telephone number is (571) 272-6797. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frantzy Poinvil can be reached on (571) 272-6797. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Frantzy Poinvil/
Primary Examiner
Art Unit 3692

March 31, 2008

Clement Graham
March 11, 2008